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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 PABLO NAVA ACEVEDO,) NO. CV 08-6890-E
12 Plaintiff,)
13 v.) ORDER DISMISSING ACTION
14 MICHAEL J. ASTRUE, COMMISSIONER) FOR FAILURE TO PROSECUTE
15 OF SOCIAL SECURITY ADMINISTRATION,)
16 Defendant.)
17 _____)
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19 Plaintiff filed a complaint on October 22, 2008, seeking review
20 of an administrative decision. The parties consented to proceed
21 before a United States Magistrate Judge on November 19, 2008.
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23 In accordance with the "Order," filed October 23, 2008,
24 Plaintiff's motion for summary judgment or remand was due thirty days
25 after the filing of Defendant's Answer. Defendant's Answer was filed
26 on February 2, 2009, but Plaintiff failed to file a motion for
27 summary judgment or remand within thirty days thereafter.
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1 By Minute Order dated May 20, 2009, the Court observed that
2 Plaintiff's motion for summary judgment or remand was overdue. The
3 same Minute Order required Plaintiff to file a motion for summary
4 judgment or remand within thirty days of May 20, 2009. The Court
5 cautioned that "[f]ailure timely to do so may result in the dismissal
6 of this action for failure to prosecute." Nevertheless, Plaintiff
7 again failed to file a timely motion for summary judgment or remand.

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9 Therefore, this action is dismissed for failure to prosecute and
10 failure to comply with this Court's prior orders. See Link v. Wabash
11 R.R., 370 U.S. 626, 629-30 (1952) (court has inherent power to achieve
12 the orderly and expeditious disposition of cases by dismissing actions
13 for failure to prosecute); Fed. R. Civ. P. 41(b); L.R. 41-1.

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15 LET JUDGMENT BE ENTERED ACCORDINGLY.

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17 DATED: July 1, 2009.

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19 _____/S/_____
20 CHARLES F. EICK
21 UNITED STATES MAGISTRATE JUDGE
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